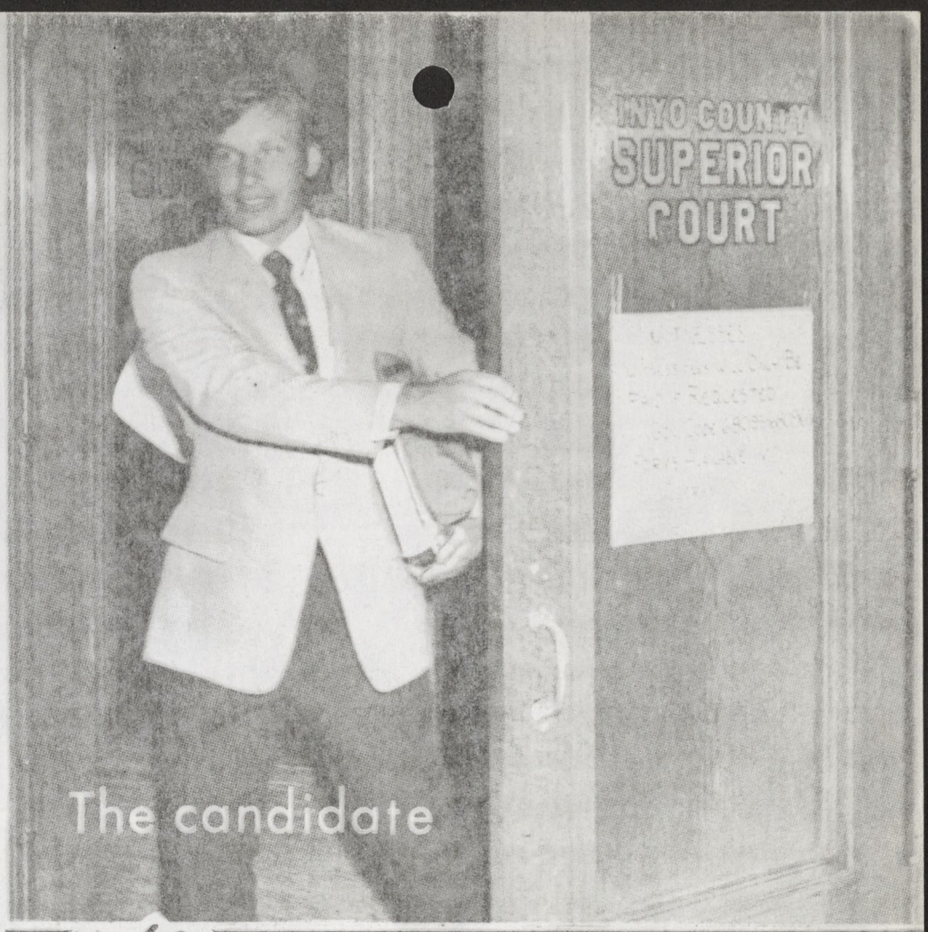
Moe wins

A COURT DECISION BREAKS
THE JUNE 6 ELECTION TIE

"IT IS UNFORTUNATE," READ THE decision handed down by Inyo Superior Judge Verne Sumers, "that errors may have frustrated the efforts of Candidate Glidden and the desires of the electorate....It is the finding of the court that Candidate Jacobson received one (1) more vote than Candidate Glidden."

Thus ended, at least for now, the agonizing (for the candidates) wait to discover which of the two would oppose, in November, Third District Supervisorial Incumbent Wilma Muth. Stalemated in a tie of 375 votes since the June election, Roger Glidden and Moe Jacobson had feverishly searched for a way out of the tie that almost certainly would have given the election to Muth. A state law provides that in the case of such a tie, all three would have run in November and a "plurality" - as opposed to a majority of votes cast - would have determined the winner. The stalemate between Jacobson and Glidden was broken when on July 10 Jacobson took the issue to court with the claim that a Big Pine voter

(See JACOBSON on Page 12)



The candidate

The INYO COUNTY NEWS-LETTER

A NEWS ALTERNATIVE - EASTERN SIERRA NEWS SERVICE

Compiled by John Heston and Benett Kessler

GENERAL CIRCULATION
Published weekly

FOTOPAGES: TWO ARTISTS

Week of
Aug. 14, 1978

The slaughter in the Alabama Hills

AT A REMOTE MINE CLAIM IN LONE PINE'S ALABAMA HILLS, A FATHER AND HIS TWO SONS ARE SHOTGUNNED TO DEATH, THROWING INYO DEPUTIES INTO A CHALLENGING INVESTIGATION

AFTER A DAY-LONG INVESTIGATION, AN OFFICIAL RELEASE FROM THE SHERIFF'S OFFICE REVEALED THE first brief, terse, almost-cryptic information. When it came, on Saturday evening, it was a shocker: "The bodies of three adult males have been found near Lone Pine. They died of gunshot wounds. The bodies were found at 9:30 this morning. Identification of the dead is being witheld pending notification of relatives." The news release, issued through Monte Yancey, the detective assigned to the case, had been awaited by reporters who had been tipped to the case earlier in the day; it served as verification of what had happened, but did little to elaborate on a great number of missing or incomplete details. But by Sunday afternoon,

(See MURDERS on Page 2)

Murder scene: where they fell



A man and a woman - "tourists" - found the bodies of the victims sprawled on this road

MURDER, Continued

some of the story began to fall into place:

Early Saturday morning a "couple of tourists," a man and a woman drove into the Mel Reece service station at the north end of Lone Pine. They said they had found "two bodies in a canyon," that to them it appeared to be a case of "foul play." They told Reece they wanted an officer. He called the sheriff's office and as they waited they turned to a map hanging on the station wall. They left with the officer, a deputy sheriff. They had been unable to "look further" into the situation at the mine claim because of some dogs that would not allow them to "get any closer."



MONTE YANCEY

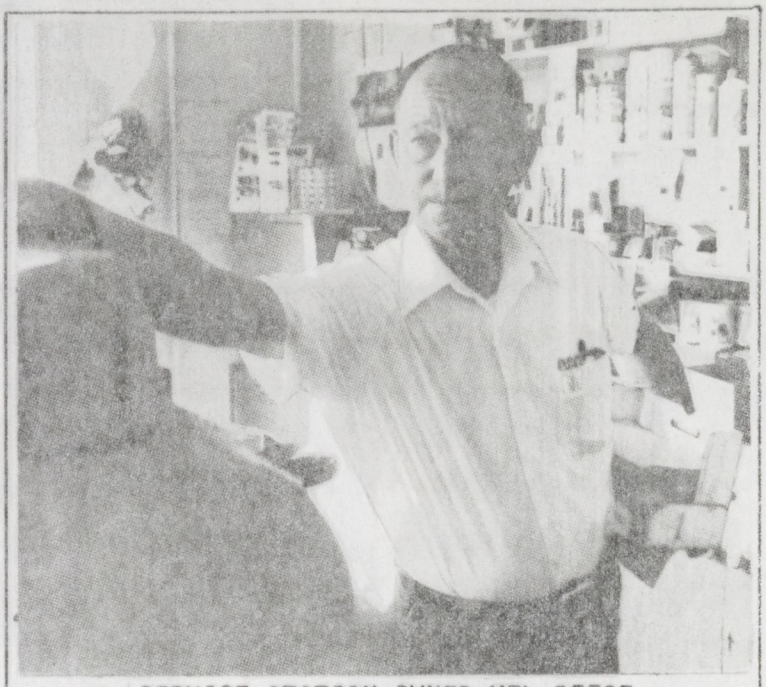
The other officers who arrived later at the scene also had to get past the dogs. As the tourist couple had driven off the "scenic route" around Alabama Hills and turned into the "Fashbaugh" Ranch road, they had apparently come upon two of the bodies which had been left in the road (The third was in a short drive-way to the shack), and they could go no further. What the officers found was a grisley scene of vicious murder, the bodies of an older man and two youths, scattered over a large space near where the unpaved road forked to provide an entrance to the shack, approximately shown in the picture on Page 1. It took them only a short time to identify:

William M. Wood, 53, thought to be a retired police officer, of Palmdale; his sons, Lawrence "Larry" Dennis, 19, and Ronald H. Wood, 17.

All three had been brutally shotgunned to death. The father sprawled shirtless in the driveway, the boys in the road; their pickup truck parked in the drive-way...The bodies had apparently been torn and mutilated by several blasts. Two dogs barked threateningly.

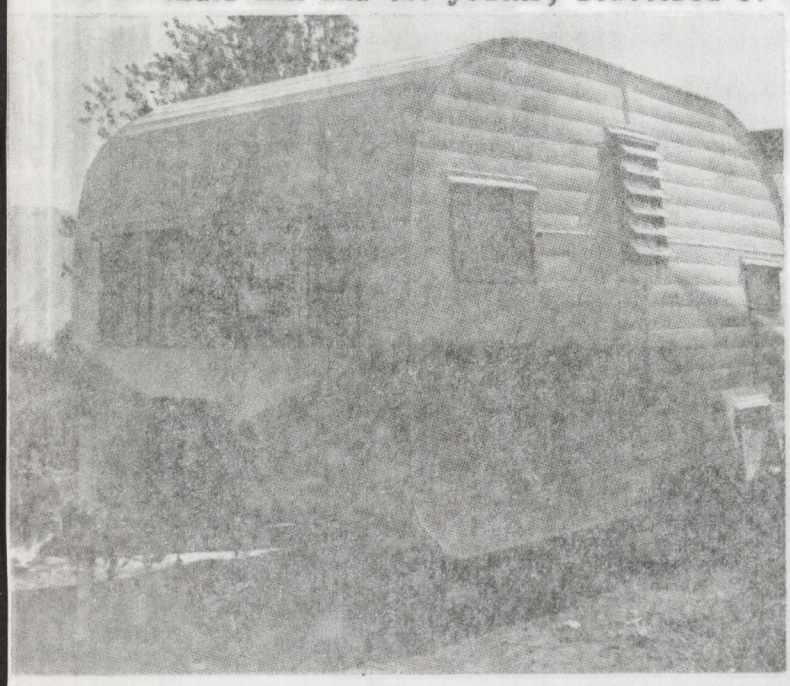
Later investigation revealed that sever-

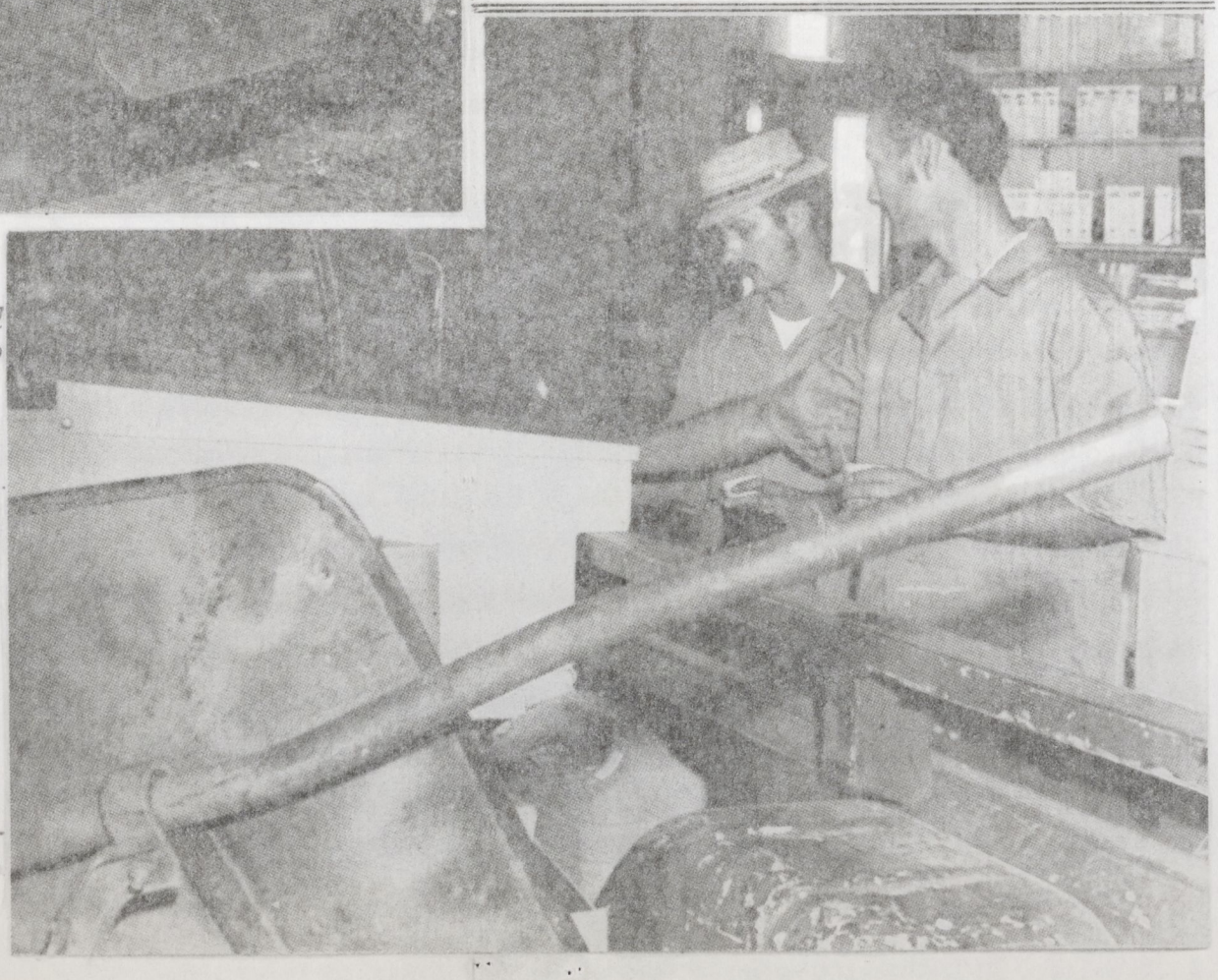
(See MURDER, Page 12)



SERVICE STATION OWNER MEL REECE

"A couple of people came in here and said there were two bodies in a canyon, and they thought there'd been foul play. They wanted an officer and so I called the sheriff. I didn't know then it was the man and his sons, the Woods; they'd traded here for a long time; came in for gas and ice Wednesday night."





Two deputies, Glenn brewer and Tom Gonzales, go through the two vehicles, a pickup and a small trailer that the Woods used at their Alabama Hills mining claim. The trailer, stocked with food, had been parked by small house on the claim. Officers looked for possible clues and fingerprints.

»»NOTES FROM B.K.««


BENETT KESSLER

PETS AND PEOPLE. As the supervisors continue to work out a viable solution to the increasing "pet" problems - leash law, licensing, etc - stories come in about violations, abuses. But some tales told by local wags (How's *that* for corn?!) reveal a positive side. As pets and people proliferate and as conflicts increase, there are those, as always, who care enough for the animals to take upon themselves the burdens of caring for them. One story comes out of Lone Pine, another from Bishop. Seems an elderly resident of the Dow Villa was visited by a stray cat. She soon delivered and that created problems for a lot of people. Mother cat and kittens were headed for the pound. But the elderly gentlemen could stand for none of that. He went out and found homes for all - no small task in this day and time. And a better story still from Bishop: An anonymous couple (who really deserve some credit, but who, if identified would be flooded with still more rejected pets) have made pet-saving a full-time job. At present their barking, meouwing charges number well over a hundred. The health department can rest easy, and so can the bureaucrats: their place is clean as a hospital, and no noise complaints. They just can't see a dog or cat headed for the pound, and they put up their own money, with just a little help from private donors. Without them, the animal control people might be in real trouble.

***

I HAVE TO SAY IT AGAIN: That pianist out at Knight Manor's "Club" is a delight, full of stories and anecdotes about vaudeville, the movies and early television. A real pro, Al Winter, who can carry a whole evening, dinner through dancing, with a solo piano. Our personal thanks for his after-hours performance for a number of friends one recent a.m.

***

SAW JACK AND MARGARET CLAY (He's the tax-man in our town) at the "Club" pool recently. They used to live at Independence, but they moved up to Knight's place at Big Pine.... Clad in swimwear and bathrobes they walk over to the heated indoor swimmin' hole for an occasional relaxing dip.

***

"THE DUKE," JOHN WAYNE, is in town, back at work. He was on his way up here some months back (to do some more Great Western Savings commercials) when he was hospitalized for heart surgery. Wayne's staying at the Dow Villa at Lone Pine and the crew's at Bishop. Hi, there, pilgrim....

***

LONE PINE, ONCE THE FREQUENT SCENE OF movieland's roaring gun battles, is now home to the roraring Datsun and Chevrolet and...and so-forth. Instead of feature films, we're getting the commercial crews. Datsun was recently filming in the Alabama Hills and in Panamint Valley. They'll see it in Japan, only. And the German crews like our country, too; They've filmed a cowboy munching on a candy bar after a hard day on the range.

***

THINGS MAY BE SOUNDING BETTER IN THE SOUTHERN part of the county. Early rumors have been confirmed: KINC Radio has been sold to some Los Angeles men, Lloyd Higuera and Bert Weiner. But before they can get to work, there is the usual long wait for the FCC to transfer the license. New programming (about time!) and an improved signal are hopefully expected.

***

DINING OUT RECENTLY: Jim Ellis, Jr., Don Chapman, Don Joseph, Pat Roberts.

***

ALSO AMONG THE DINERS: A pair that we'll add to our Very Pleasant People list: Les Hall and Dick Baker. And who says salesmen are dull people interested only in huckstering! These guys can converse in just about every area, up to and including abstract philosophy. And, oh yes, Hall is one of those people that I *would* buy a used car from.

***

CLOSE OBSERVER IN THE COURTROOM at the recent Glidden-Jacobson election tie hearing: Incumbent Wilma Muth. Looks like it's going to be a hard-fought battle to determine who will be the third district's next supervisor.

***

CAN YOU BELIEVE IT! At least one local store advertises *wringer washers*. We thought they went out with the Edsel and the DC-3, but I hear that a number of people prefer them. They're on the market for only about $50 less than the automatics.

***

WITH THE AGE OF SPECIALIZATION HARD UPON US, the "GP," or general practitioner is an endangered species nearing extinction. But hope springs eternal: The University of California at Davis may yet revive the breed with its new "Family Practice" School. But UC-Davis had a problem: no GP's to teach the course. Twenty doctors in the state were asked to take in students for experience. One of the obliging physicians is Bishop's own socially-conscious Dr. Robert Denton. He devotes hours - sometimes months - of time each year to providing volunteer medical care to hundreds of people. Denton's students - two young women - have watched him at work, and assisted, at Big Pine San, worked and "scrubbed" with Dr. David Sheldon at Northern Inyo, and delivered babies and worked on autopsies with Denton. They'll keep busy in Inyo !

***

SHERIFF FLOYD BARTON is into a heavy one. A triple murder at Lone Pine has his men working practically around the clock... It's a relatively "open" investigation with Barton filling in newsmen with some of the background details. The whole story may be months in coming out. If we were betting on it, we'd lay odds that Barton and his detective assigned to the case, Monte Yancey, will finally trace down the killer(s).

***

WE'RE HOPING OUR PAGES WILL BE REPORTING very little of that kind of news; triple murders, which probably had their origins elsewhere, we definitely don't need.

***

MEANWHILE, MAY THE NEWS IN YOUR DAY be good news...every day.

- Sincerely,

BK

News Briefs: FOR DWP, THE DA'S FINAL WORD; FOR SOME COUNTY EMPLOYEES, EUPHEMISTIC NOMENCLATURE; FOR LONDON, A "MULE" CARVING; AND FOR CETA, ANOTHER YEAR

THE DISTRICT ATTORNEY APPEARS TO HAVE PUT UP his final word in the litigious diplomacy between Inyo County and L.A.'s Department of Water and Power. The DA filed a respose to DWP's court request for a court hearing in the water pumping issue, and then issued a joint statement with Inyo's Special Counsel Antonio Rossman: "The county has given its commitment to the state and the city...that it will terminate this litigation presently if respondents will accept this court's invitation to prepare a comprehensive EIR on the conjunctive use of its entire water resources, agree to conduct such further studies of the Owens Valley groundwater basin as found necessary, and use such EIR and studies to satisfy CEQA (California Environmental Quality Act) and enter with the county into a joint water management plan for the Owens Valley. To date, the county has not received its much yearned-for acceptance of these crucial offers." The water department had gone to court to ask for approval of the "project definition" as it moved closer to the date for release of a new environmental impact report demanded by the court last year. Gibbons & Rossman, however, asked the court to deny the "definition" request, claiming that there is now no dispute; that any such project definition is premature and "cannot be evaluated until its flesh, as well as its spine, is revealed in the full EIR." What the combatant attorneys' (sometimes colorful) verbiage translates to is, roughly, a question about groundwater pumping and water use for all uses, not just in-valley usage, and what the district attorney appears to be saying to the DWP is, roughly, quit stalling with technicalities, do what the court has already ordered you to do, and maybe someday Inyo County will call off its lawyers so we can go about the business of intelligent water management.

***

WHAT'S IN A WORD, OR A ROSE BY ANY NAME? A lot, it would seem, when it comes to the county's proliferation of bureaucratic nomenclature. The supervisors recently agreed to change the titles of two of its people, James Gill and Mel Bentley. James and Mel will no longer be known as building inspectors; they're now "code compliance officers." Says the county administrator: "It's really ridiculous, but to be eligible for his pension from the Carpenters' Union, Gill cannot be a building inspector. But a code compliance officer is okay." Does it change the duties that James and Mel will perform? Not a bit. Such euphemistic titling has become commonplace in recent years: Garbage collectors are sanitation engineers (L.A.), and (Forest Service) trail-cutters and brush-cutters are "hazard reduction engineers." It might also be added that a "journalist" or "free-lancer" is very often an unemployed news reporter.

***

WITH ELABORATE AND DETAILED DESCRIPTION, the Inyo museums director, Charles Irwin, informed the supervisors on the progress of the Inyo Exhibit that will be established at the state capitol. "It's a dramatic departure from the other counties' exhibits," droned Irwin. But Supervisor Herbert London broke in: "It sounds like a fine exhibit...with one exception: no mules. Perhaps for the benefit of the Bishop "Mule Days" promoter, Denton Sonke, who was present, London went on to elaborate on the Bishop event and the new mule races there. That opened up other possibilities for the exhibit, suggested by Supervisor Wilma Muth: "There's gliding, too. It is a special interest, but it does bring a substantial amount of money into the county." What London did not mention was his own special interest: He is a packing station operator. It is doubtful that Exhibit Designer Dorcas Birchim will be hand-carving any sailplanes or gliders, but she did comply with London's mule complaint. To see her work, turn to Page 11.

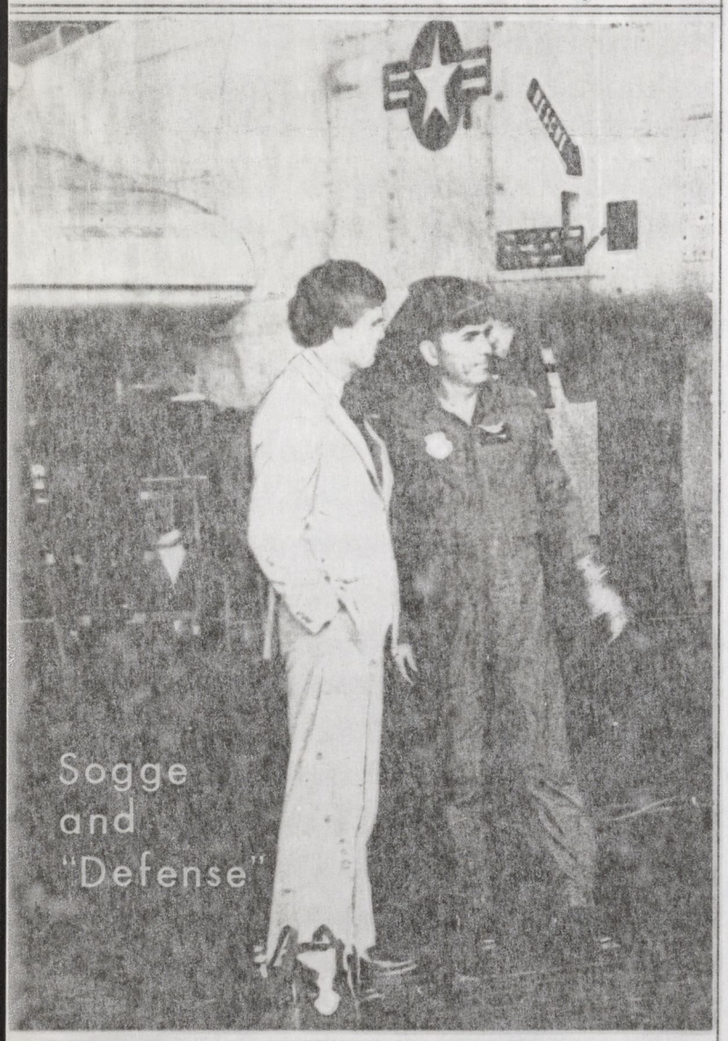
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CETA, THE "COMPREHENSIVE EMPLOYMENT TRAINING Act," will survive another year in spite of a long-standing controversy that ranges nationwide. Funding for the local CETA program has been okayed for 1978-79, but the program may experience some cutbacks: When Proposition 13 passed, some positions were ended by attrition, but some of the numbers may increase by September, according to CETA Director Jennifer Duncan. Requirements for getting into CETA jobs may be more stringent.

***

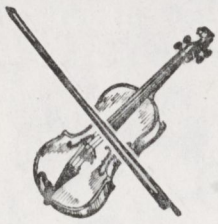
SOME UNHAPPY SURPRISES FOR A FEW TAXPAYERS un-

(See NEWS BRIEFS, Page 14)



Democratic Congressional Aspirant Bob Sogge visited Edwards Air Force Base and last week released this photograph to accompany his "position statement" calling for a "strong national defense posture." He posed with an Air Force lieutenant colonel, Tony Zang, under the fusilage of an attack plane.

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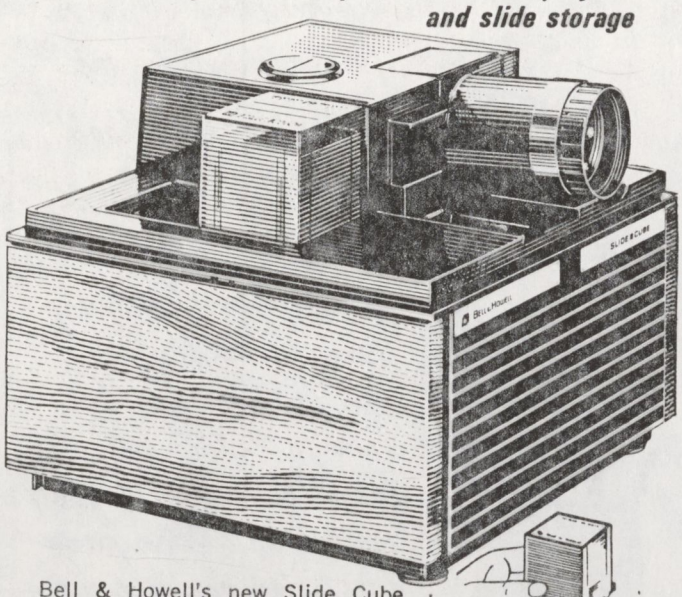
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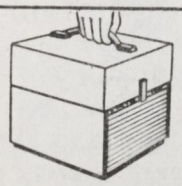
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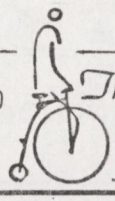


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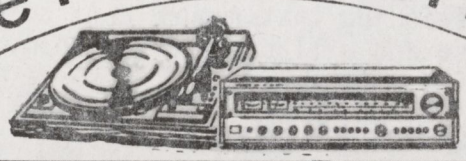


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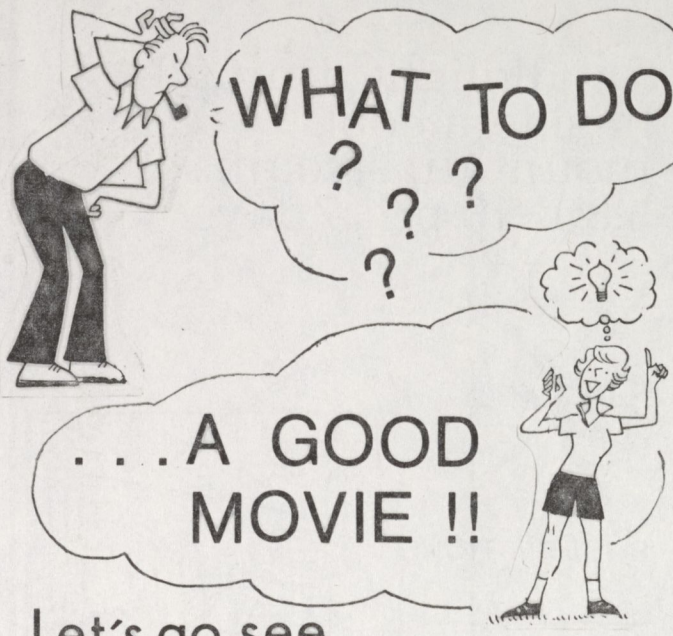
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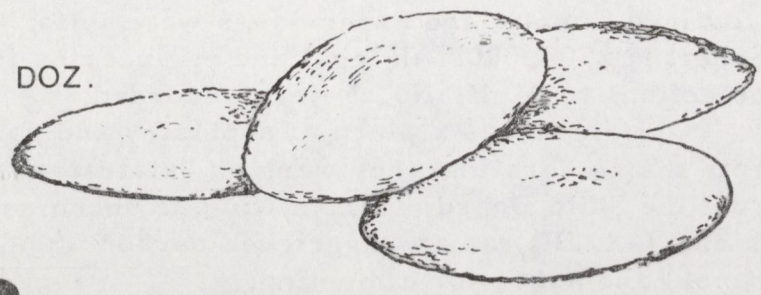
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*

1. With the advent of this new era new bundles of powers came to the State by the enactment of its Environmental Quality Act and of its Porter-Cologne Water Quality Control Act; money, big money to the clever would start rolling.

2. In 1972 I prepared the first draft of "A Joint Resolution for the enactment of State Watermaster Service for Owens River Valley and the monitoring of the DWP's ground water pumping operations by the State Department of Water Resources (and its Southern District Engineer). In the eyes of Michigan's Professor Joseph L. Sax it was what might be called a strategy for citizen action (by the People's legislative process). With scant lip service at the County level, it was shipped off to Sacramento in October, hung up in Senator Way's Agriculture Committee as "Bill No. 3" . . .a victim of the formidable influence of "The Lobby" never to recover . . . . Meanwhile . . . .

3. On 17 January 1973 County officialdom made a secretly contrived junket to Capital and saw it die "on the back burner" (as reported by my surrogate Bill Mullen who went uninvited). The situation worsened: new faces were at the ready with A. B. No. 5 "Underground Connecting Stream Bill". Assemblyman Gene Chappie and Ronald B. Robie, Vice Chairman of the State Water Resources Control Board, were the authors of what to me was a secretly contrived scheme to "determine the upper limits of the City's water rights . . ." and to Governor Reagan's kind letter on my "genuine interest for Owen's Valley," I wrote

> "If the whole cloth of the lofty Reagan Doctrine is to be shot through with the sleazy thread of corporate morality of the autonomous Board of Water & Power Commissioners of the City of Los Angeles, then sir, it's time for a change."

and later gave the words to County officials.

4. On December 12, 1972 at a public meeting of the Lahontan Regional Water Quality Control Board I read two short paragraphs . . . and sat down. The letter to the Executive Officer explained that

> "statutory changes in the Water Code, quasi-judicial hearings by the SWRCB and final civil-court adjudication are in the hopper. It involves one of the most abstruse technical aspects of water law: evaluation of (flow in) underground streams."

Note: The document contained three legal pages; 200 copies were widely disseminated. In it I warned that unless there were warranties . . . of financial aid for Inyo County, the Supervisors were in for budgetary worries . . . and "a sobering $500,000" (in legal and engineering fees, etc.). Nevertheless, no objections to A. B. No. 5 were recorded.

5. Clearly it was a piece of sophistry and political obfuscation unprecedented. I wrote the authors that they were on "statuatory quicksand." On March 12, 1973 I wrote the State Board, transmitting 23 documents, reprints and letters (Exhibits I-XXIII), as an "aggrieved person" (under water law in behalf of taxpayer) and asked for a meeting.

To this formal request, I got no answer. . . . Understandably my caustic criticism of the Lahontan Regional Board's "stupifyingly dull" hearings was not well taken: "a waste of State monies . . . ." My meetings with Jack J. Coe--under whose aegis the water hearings were held--were unproductive. As Southern District Engineer in Los Angeles he is in easy jogging distance for public relations with top-DWP management . . . . I know him as shrewd and genial in tri-partite County-DWP-State water talks. In cue-ing his boss

. . . BOONDOCKS BOGGLING !

in P/R skullduggery, Coe is "Jack the Fixer"--in my book.

6. Disturbed but undaunted, I took a new strategy: Invite Top-Dog Robie down to Bishop as my guest. It worked. The Inyo Register of April 12, 1973 reported:

State Water Official To Tour Area April 14

John Abrams of Bishop announced at press time that Assemblyman Eugene Chappie and Roland B. Robie, vice-chairman, State Water Rescurces Control Board, are planning to join him Saturday, April 14, "on a Bishop Cone and Bishop Creek field trip and in dialogues relating to Inyo's water problems and their remedies."

"Robie and Chappie propcsed Assembly Bill Nc. 5 last October," Abrams stated. "I immediately took an adversary position on their concept of State Watermaster Service because it involved one of the most abstruse technical matters in water law: evaluation of underground connecting streams. Those differences will be resolved during on-site inspection of certain Owens Valley streams."

"One significance of the trip," Abrams stated "is that it marks the first visit here of Mr. Robie. He is the lawyer-member of the State Board and a recognized writer and lecturer cn water quality under relevant environmental laws. Mr. Robie is probably best equipped to clarify the complex statutory issues such as ground water degradation and sanitary sewer funding under the paramount powers of his board. These are little understood here."

The laughable story of how I succeeded in getting him and Gentle Gene Chappie down here--gentle as a wolverine in one noisy 6-hour session--is too tedious for review . . . . The futile all-out effort to abort my scheme (1/16-4/12/73): my warning against covert "pre-emption" of the plan (before Planning Commission 3/28/73) and 2-page report of its success are well documented.

But one important thing derived from the visit. On Saturday, April 14, 1973 we made a pre-scheduled call on Verne Summers at his residence. I asked him what the eminent San Francisco law firm's fees had been in Mono County's adjudication of the DWP's hydro-power sites on the Owens River--a relatively simple legal and engineering matter. As the one-time D.A. he told us "upwards of $325,000." (No telling the million-dollar-plus costs of today's lawsuit against the City.) He suggested that A. B. No. 5 be quietly withdrawn . . . never to be heard of since then!

A BILL OF PARTICULARS In Years 1972-73 this observer--totally frustrated--let loose with the biggest blast of ideological and philosophic commentaries ever to sweep over the Owens Valley. And caught up in it each official was floating like a sail plane on the Sierra Wave, more interested in his ego than governing . . . . There is a legal adage which goes something like this:

> Public servants, arrogating unto themselves the powers vested in The People, may be surcharged in person with their fiscal excesses.

As consistent friend and advocate my sole purpose was to recommend restructuring of the County Administrative Process . . . . I was a victim of bad faith; to expertise I got faint praise. Regime to regime, traditional cow-county provincialism prevailed . . . . The Machiavellian Doctrine denies the relevance of morality in political affairs; it holds that craft and deceit are justified in maintaining political power.

Sumup: Significance of The Dissertation The only justification for the publication of the foregoing is to illustrate the stress and futility of fighting the good fight, keeping the faith and, as an elder statesman-engineer, being ignored.

This is a political year and elections are impending, the electorate is in revolt against the surcharges of government spending and the excesses levied against all people's homeplaces. In that light the content of this "catch-all" is destined to contain little of the taxpayers' dire forebodings simply for lack of time and the place to put it. Also it will suffer for other ills of repetition, voids and context and literary style in a hasty review of the People's Right to Know.

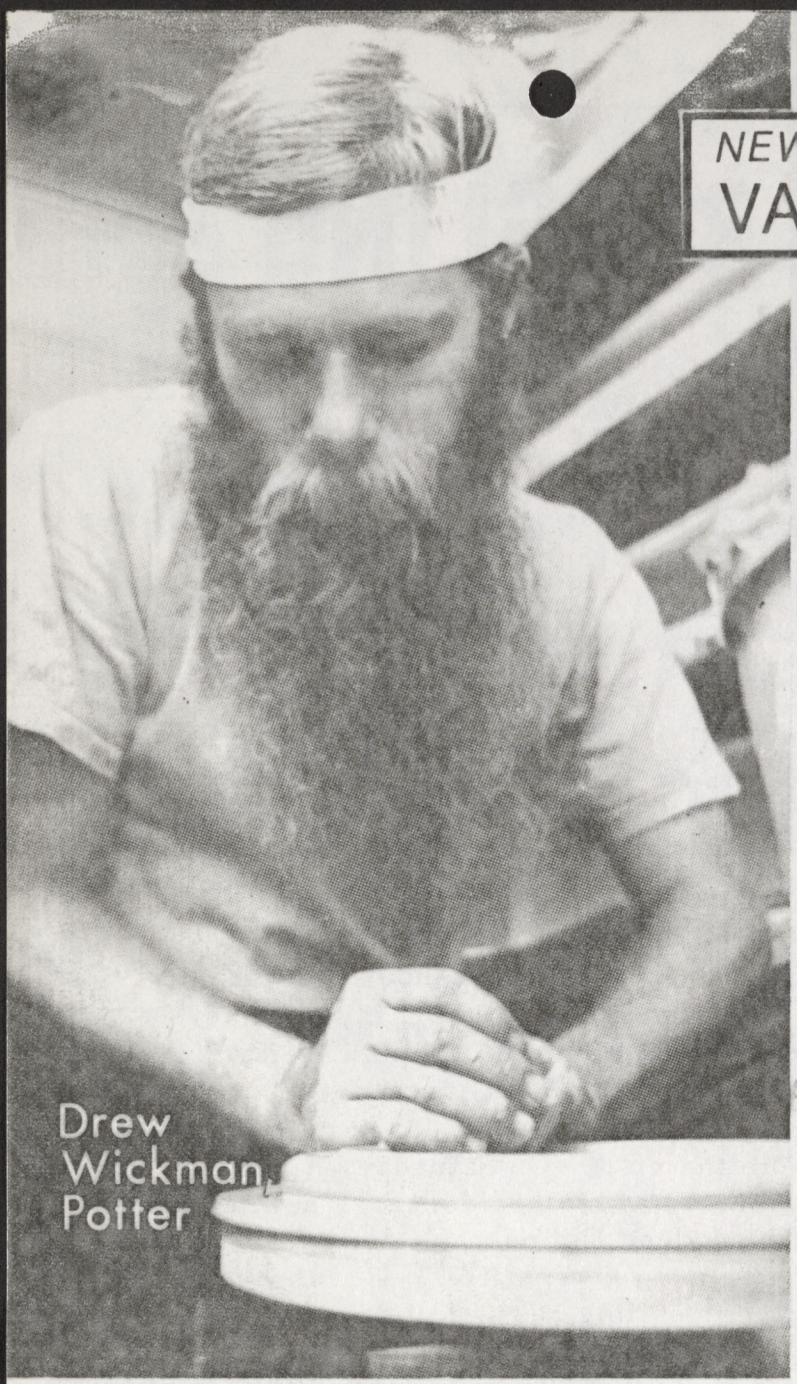
I beg forgiveness for memory clashes with those whose memories may differ.

*

– John Abrams

NEWS-LETTER'S VIEWFINDER:
VALLEY FOTOPAGE

Aug. 14, 1978



Drew Wickman, Potter

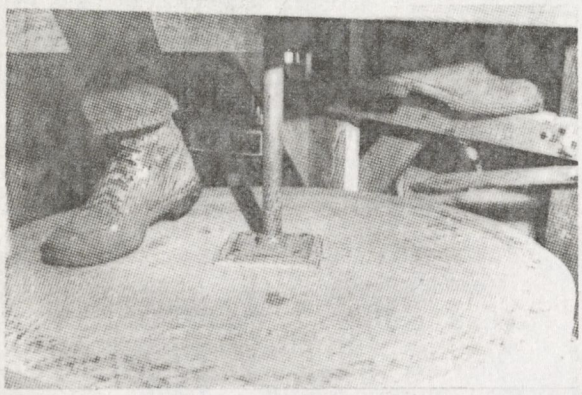
—"Throwing a pot"—

IN A SMALL INYO SHOP, A YOUNG POTTER EARNS HIS LIVING AT AN ANCIENT CRAFT

Since the days of pre-history, man's need for carriers and containers for nearly all that he eats, drinks, grows and creates has been fulfilled out of the elements of the earth itself; metals, wood - and clay. Over many centuries the mere utility of a pot or jug evolved into art. The potter's craft - its wheel and kiln - has changed but little over the centuries, and at Independence Drew Wickman follows an old and honored tradition.



Surrounded by an arrangement of old books, bric-a-brac and finished work, Wickman turns a strong hand and practiced eye to another pot. The wet clay spins before him and emerges into the line and form he envisions.



Below, swift kicks spin the wheel..



...and he forms the turning clay.





His work interrupted, he waits on a customer.

Dorcas at work

THE "INYO EXHIBIT" CARVINGS FOR SACRAMENTO TELL THE COUNTY STORY - AND ANSWER A POLITICAL DEMAND

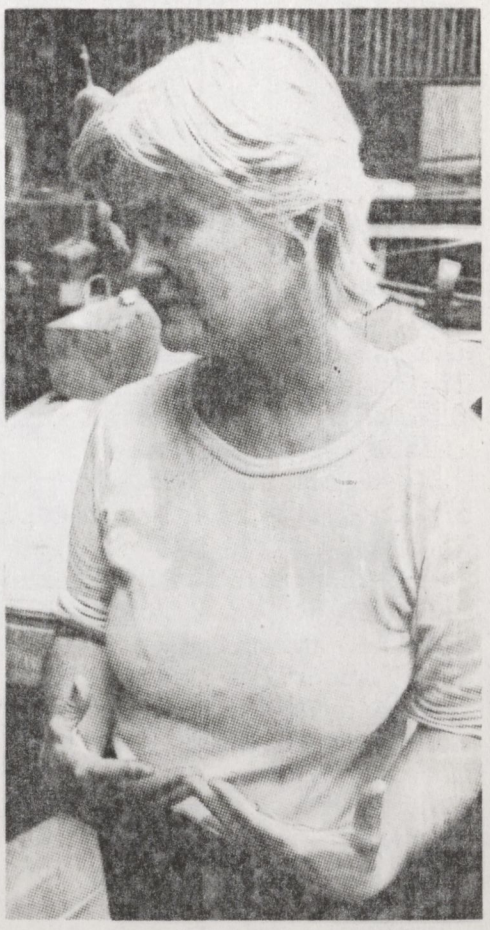
Last week, Bishop Artist Dorcas Birchim began her carving of a pack mule which with other intricate pieces will form the "Inyo Exhibit" for the state capitol at Sacramento. An Inyo supervisor, Herb London, a pack-station operator, had complained that the exhibit included "no mules." Dorcas, whose sensitive works hang in some of the best collections and galleries in the state, set about (at a volunteer wage of $3 per hour) to answer the supervisorial mandate. Seldom do art, politics and commercial interest combine harmoniously - but Dorcas, working in a "studio" provided by Linson Signs - will try to make it happen.





NEWS-LETTER'S VIEWFINDER: VALLEY FOTOPAGE







Dorcas obliges with a "mule".

MURDER, Continued

al people had seen the elder Wood and his two sons on Thursday. Among these were Terryl Marshall and a friend, "Jackass Andy from Saline Valley," who had gone into the Alabamas late Thursday morning and had sought Wood's permission to enter a mine shaft on his claims. Marshall recalled the visit: "We got to talking with him. He said he was a retired police officer and that he had diabetes. Somehow he had injured his foot; it was wrapped up. He said that when he first came here some years back he had been in a partnership with another man, "Bill," a blind man who lived here on the claim. The partner had died two or three years ago. He told me he had had some problem with a man with a gun when he had first come here, but that was several years ago. I got the impression he was armed when I talked to him Thursday morning. He also had these dogs, two of them were chained up near the house. The two boys were up on the hill working, and when we came in, they called down by CB radio to ask why the dogs were barking. They didn't seem too worried about us being around but they drove down to look us over and to get some tools. We left after a while."

Had the two boys been concerned, perhaps fearfully so, that someone else less friendly than Marshall and his companion had come to the claim? If the answer is known, it is for now at least locked up with other information included in official notes on the case.

Tips on the case began coming into the newsroom of Eastern Sierra News Service on Saturday afternoon; some of these were from usually reliable sources only a step removed from the case itself. One source said that "one of the boys" had had some trouble "About two years ago" in Lone Pine, trouble involving a car theft and a threat on a highway patrolman. A check with a CHP source said that someone involved with the Wood family had "mouthed off" to a patrolman who had put little concern into the matter. Another source said one of the youths associated with Wood or in his family had had "other troubles" either here or "down south." None of the rumors could be substantiated.

The Woods were annual visitors to Inyo and to the mine claim on the "Flash Bar" - or "Flashbaugh" - road. Reece, the service station owner, said the three men had traded at his station for "three or four years," and that they came here late each summer "to do the assessment work on their claim." Under law the required "assessment work" on mining claims must be performed and completed by the end of August each year.

Reece said Wood and his sons had come into his station last Wednesday evening for "gas and ice."

There was a further report that Wood had been divorced some time ago and that his wife had remarried.

According to the editor of a Lancaster newspaper, Wood was a man of "good reputation," interested in Boy Scout work and the local Optimist Club. The boys on the other hand "had had some trouble here," although there was no elaboration on that.

As the new week got underway, Deputy Coroner Ted Sullivan issued only a brief report on the results, so far obtained, of a post mortem examination of the three bodies. Sullivan told newsmen that the three had apparently been shot "several times" each at "close range."

There was no immediate report on the type of shot used in the murder weapon, or if there had been perhaps more than one weapon used.

On Monday, Sheriff Floyd Barton and the deputy-in-charge of the case, Yancey, were to go into conference for an assimilation of the information that their investigation had netted so far. Further official word on the case was expected later in the week.

NOTE TO SUBSCRIBERS -

A number of new subscribers - and a number of readers renewing their subscription - have mailed in their payments failing to take the 10% discount now offered. (The offer is extended to Aug. 31.) In these cases, subscription time will be extended.

JACOBSON, Continued

who lives in the fourth supervisorial district had in fact voted for Glidden in the third district - a vote cast "improperly" due to mix-ups in the county clerk's registration records.

Soon afterward, Glidden filed a cross-action, confident that still further errors he had discovered in the registration would give him the election. Glidden said no fewer than four voters living in District Three had been instructed to vote in District One, and that each of these averred that they would have voted for him.

So last week they went to court, Glidden represented by Inyo's former public defender, Doug Buchanan, Jacobson (claiming he "doesn't have all that money for a lawyer") representing himself and accompanied by Deryl McNulty, the voter he claimed had voted "improperly" for Glidden. He would have to establish in court who McNulty had voted for, a touchy business as it turned out.



GLIDDEN, JACOBSON AND McNULTY IN COURT
...an end to the agonizing wait

Once called to the witness stand, Jacobson's witness McNulty was reluctant to reveal

(JACOBSON continued, P. 13)

JACOBSON, Continued

how he voted. (In Inyo County, the idea of ballot secrecy dies hard.) Not only the "secrecy" question was involved, but there was another: McNulty testified that since the issue had come up, he had received "calls" and he implied that there had been some harassment indicating some fellow voters may have believed he voted improperly - deliberately. He told the court the calls had come because of "publicity on the radio and in the press," and asked the court about the presence of newsmen in the courtroom. A photographer, he complained, had taken his picture outside the courtroom. "I don't want my name brandished about with my name on the radio and the news. I criticize the press and radio for that. People call me up and bother me about this election thing." Judge Summers was not unsympathetic, and he searched out the photographer in the courtroom. The photographer, John Heston of Eastern Sierra News Service, said he had been taking pictures of Glidden and Jacobson in the hallway, and that McNulty's picture may have been included, although at the time he did not know McNulty. Judge Summers ruled in any case that the court has no jurisdiction over taking pictures "in the courthouse hallways." (In Inyo County, as in many other areas, press photography is not allowed within the courtrooms.)



GLIDDEN
an appeal...

Then arose the question of McNulty's ballot and whether it was "illegal" or "improper." The law states that in such cases of "illegal" voting, a witness must admit who he voted for. Attorney Buchanan made much of the point, but the judge ruled that "illegal" was too narrow and confining, that Buchanan's interpretation in effect had not been the intent of the legislature.

McNulty was instructed to answer the question. "I voted for Roger Glidden," he said.

The county clerk's deputies had admitted to "errors" in the clerk's records-keeping. McNulty had been mailed a sample ballot that had instructed him to vote at the Big Pine American Legion Hall, about a block from his residence.

Glidden's attorney called his four witnesses - Jogy Payne, Cynthia Roger, Donald Roger and Ruby LeFevre. They testified that "they would have voted for Glidden...but were instructed to vote in the First District.

But what "would have" been done and what was actually done - McNulty's vote for Glidden - was enough to swing the case to Jacobson's side - at least for now.

BULLETIN: "NOTICE OF APPEAL"

Late Tuesday, (this week), NEWS-LETTER learned that the attorney for Roger Glidden had filed with the Inyo County Clerk a "notice of appeal." In such notices, the grounds for the appeal are not necessarily listed, and appear later in the petition to the appellate court. As NEWS-LETTER went to press, neither Glidden nor Buchanan were available for comment on the appeal matter.

Maurice "Moe" Jacobson, a former sports shop owner at Bishop, had taken a job with the Forest Service. Notified on the job about the court's decision, he was asked for comment. "I'm ecstatic," he said. That was before news of the appeal.

THE COUNTY

ANOTHER FIRING ISSUE

AFTER FOUR YEARS WITH THE COUNTY, AN EMPLOYEE IS FIRED FOR CONTRACTING WHAT MAY PROVE TO BE A JOB-INDUCED DISABILITY

AS IF THERE WEREN'T ENOUGH PROBLEMS in the the county's "hiring-firing" situation, still another had to crop up last week to create a new controversy. After four years on the job, 32-year-old Janice Davis was fired from her job in the county's micro-filming department. The reason: In recent months she had developed an allergic reaction to microfilm chemicals that caused "an inability to do satisfactory work because of...ill health."

Davis got the bad news in a termination letter from her departmental boss, George Tantzen, on June 28th. She says "It's not fair." But the county administrator, John K. Smith, answers her complaint with, "Nobody has a guarantee if they can't perform their job."

Davis' allergic reaction apparently had "caused her hands to swell up twice normal size with blisters and blood poisoning." She contacted a dermatologist in April and he said definitely that the chemicals had caused the problem. She says there is "no way" she could have used gloves on the job.

Said Davis: "I had talked to George about a transfer...But he said there was no area for me to transfer into. Then he said because of Proposition 13 he would be cutting back in the micro-film department, although at my appeals hearing Norm Paulson said there are no lay-offs because of Proposition 13."

But the appeals board neverthless upheld Tantzen's action, declaring it justified within the requirements of the county's merit system - because of ill health.

"I told them that the disease had been caused by the job, but that didn't help. They directed George to give me a letter of recommendation since I had a good work record.

"The Employees Association is looking into this. I'm not very happy about it. I have a job now, as an admitting clerk at Northern Inyo Hospital, but I had to take a cut in pay and I have two children to support. I do have a workman's compensation claim in. I had asked the county to put me on a re-instatement list so I wouldn't lose my seniority, but they wouldn't do that.

"Then I asked if I could work in a different department...They said I'd have to put in an application like anybody else. I have applied for a dispatcher job and deputy assessor, but for some reason they are re-advertising the job."

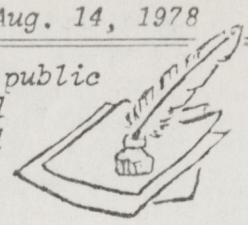
Questioned about the issue, Tantzen told a reporter to check with the personnel department - but he did say that "There is a difference of opinion" as to whether the chemicals had caused the allergic reaction. Asked if he himself could not speak on the matter, Tantzen said "yes and no," that all matters "go through personnel - through Smith.

Upstairs, Smith said, "We had to lay her off, there was no place else we could use her in that department and no other position she could take, laterally, in another

(See FIRING, Page 14)

FORUM
LETTERS AND COMMENT

NEWS-LETTER welcomes comment and letters relevant to public issues, and the editors will publish those considered timely. Most likely to be published are those letters of 200 words or less, and those with concise viewpoints. Writers should address their statements to PO Box 531, Independence, 93526. NEWS-LETTER reminds its readers that publication of a letter in no way implies that the editors necessarily agree with its content.



FOR THIS SUBSCRIBER, SIX MONTHS AND NO ARGUMENT

To the News-letter:

Let's try it for six months. Just the news - NO OPINIONS.

I am an X-boxer & football player.

- Glen Archer
Bishop

(Editors' note: Six months it will be, Glen. And thanks for the subscription check. Let it be noted that NEWS-LETTER voices few "opinions" - only informed conclusions. But in view of your background, we wouldn't want to argue it out with you!)

***

A LAWYER'S LETTER EVOKES A LATE RESPONSE

To the editors of the News-Letter:

"Hazardous Government" head-lined your May 15 Forum page - then - paraphrasing - it (a letter) made caustic charges of nepotism and pure personal interests, both open and secret, which "not only so characterized the county administrator s office but included the planning and road departments and the supervisors."

Official denials of "untrue" and "unsupported" swept swiftly through the corridors of justice against Lawyer William S. Scully's vituperations and your cogent editorial appraisal, I'm told, of the "obstinate, intransigent power-centered administration" - your verbiage, not mine.

The new grand jury list has been released, and of the 19 there is a full dozen who would ask Scully to support those heady charges.

Now hear this. In June, 150 copies of my autobiographic family "Blue Book" came off the press of a local printer, with 25 booklets destined to the county clerk for official distribution. The intra-mural reaction in county circles was immediate and hostile. The caption to its last two pages - "Boondocks Boggling in the County of Inyo" - was, it seemed, a counterpoint to your "Haphazard Government." The effort to suppress it has been unavailing; in effect, it took you-all and Bill Scully, some say, off the hook. That two-page document handed you herewith is my "white paper" with some blue philosophic rhetoric. The essay has never been contested; it's all true.

Please print it verbatim as my journalistic last testament, invoking Senior Editor Heston's veneration for Kansas Editor William Allen White (no pun), which is shared by this elder statesman, now 84.

- John McClelland Abrams
Bishop

(Editors' note: Reader Abrams refers to a letter in support of Proposition 13 published on this page, from Lawyer Scully. Presumably, the "white paper" Abrams refers to is an advertisement he sponsors in this issue of NEWS-LETTER.)

FIRING, Continued

department. If we had had one, we would have been happy to give her a lateral transfer. Asked if he felt the county is obliged to compensate the deposed worker since it was her county job that apparently brought on her disease, Smith replied, "I don't know...It's a health problem. It's like digging a ditch; if you're not strong enough to do it, then you shouldn't expect to have the job. Nobody has a guarantee that if they can't perform their job, they'll get another one. At least, I hope we haven't come to that."

Such is the thinking, logical perhaps but chillingly impersonal, of 1978 government in Inyo County.

Smith said that Davis' is the first problem of its kind in the micro-film department. He did say that there had been some discussion of a job trade-out within the data processing department, but that "the person on the job didn't want to go to micro-film, and we can't impose on one employee to satisfy another."

Where will the case end? At this time, no one is saying. Action, if any, by the employees association might determine future county policy in such matters. Davis might resort to the courts. If that is her plan, she has volunteered no insights into her plans. For now, at least, it was a simple case: A county employee was apparently doing a satisfactory job, got caught red-handed at it, and was fired.

NEWS BRIEFS, Continued

informed on the subtleties of Proposition 13. In the pre-election heat of the Jarvis issue, a number of over-simplified versions of the bill were dangled about as voter bait. Campaign oratory left some people believing that Proposition 13 would simply set their property tax at 1% of its 1975 evaluation. Not so, explains Inyo's tax assessor, Jack Clay. Just to make sure everyone is up-to-date in his Jarvis thinking, Clay issued a release warning Inyo's suffering taxpayers that their notice-of-value cards, soon to be mailed, may not bear the tidings they expect if they believed Jarvis to be a free ride. They'll understand this if they understand that:

* The 1978 "full cash value" is not the same figure which appeared on the '75 bill, although in some cases that figure will be used as a base-year value. To that will be added 2% per year for 1976, 1977 and 1978. And in some cases the 1975 value will be established using the data for that year.

* For change of ownership, the base year would be established after the property changed hands, then 2% added for each following year.

* On new construction, only the newly-constructed part of the property would be reappraised.

* All the foregoing applies only to real

(See NEWS BRIEFS, Page 15)

NEWS BRIEFS, Continued

property, not business or personal property.

Clay also cautions that a number of people think that the tax rate will be a flat 1% of the full cash value - but that, in fact, amounts will differ between the various tax rate areas. He also said, "And if that's still confusing, they can call my office; we'll try to be of help."

***

"IT LOOKS LIKE THE COUNTY HAS BEEN SUBSIDIZING the schools," observed Supervisor Wilma Muth at this week's board meeting. She referred to a lease payment, made by the county for the past two years to DWP, on the Camp Inyo property at Big Pine. The schools were at one time a part of county operations; but no longer. The administrator said School Superintendent Mel Bernasconi was "willing to take over the lease," and the supervisors approved the move to the schools. They also okayed leases on a county powder magazine west of Bishop, Dehy Park at Independence and Big Pine's Triangle Park.

***

MUTH HAD OTHER COMMENTS AT THIS WEEK'S MEETING. She claims that the people voted-in the Bishop sewer district "with no authority." In doing so they also voted-out much of the county's control of the district. The supervisors were ready to turn over responsibility to the Eastern Sierra Community Service District as a separate entity, but they balked on the advice of the legal department: An agreement should be written which would give the county the right to re-enter the supervision of the district if it were not properly maintained.."to satisfy bond counsel." The bonds that made the sewer project possible were purchased through the county. How long to pay them off? The district has 25 to 30 years. Deputy District Attorney Greg James said in fact the county's authority in the matter would be "very small," that it would take "a major breech by the service district" to bring the county into its management.

***

AND STILL ANOTHER SERVICE DISTRICT is in the making. The board this week approved formation of a community service district in the Mesa area north of Bishop. It is now set for the November ballot. If one Mesa area resident is to be believed, the neighborhood wants its own district outside of county domination by a county district. Said Richard Hastings: "A petition was circulated. All but a few signed it."

***

FILM CREWS WENT TO WORK this week in Southern and mid-Inyo. A production company filming "And One Alone Survived" lifted a crashed plane into the Sierra, dumping it on a peak near Independence: the scene re-enacted in which Lauren Elder walks from the mountains in the now-famous self-rescue that occurred here more than a year ago. Also in town: the company of Conrad Hall who is directing John Wayne in "a lot" of Great Western Savings commercials near Lone Pine. Hall said he was to wind up his work here no later than Thursday. The "One Alone" crew is expected to be shooting on locations here for the next two or three weeks.

PUBLIC DEFENDER ISSUE

The "cheapest, easiest way..."

NOW IT'S UP TO THE COURT TO DETERMINE IF THE COUNTY SUPERVISORS ERRED IN THEIR BUDGET-CONSCIOUS APPOINTMENT OF DEAN STOUT TO THE INYO "PUBLIC DEFENDER" JOB.

"TO SAY THIS IS NOT THE OFFICE OF THE PUBLIC defender is sophistry," argued Charles Karpinski, a Bishop attorney who is also the president of the county bar association. "This is not an attack on Mr. Stout...but all should obey the laws, including the board of supervisors."

Karpinski was in court. He referred to a section of the state code (27701) that says a "public defender" must be able to show at least a year's experience in the courts before he is eligible to serve in that office.

Karpinski had filed a challenge in court soon after the board of supervisors had appointed Dean Stout as Inyo's new public defender, doing so on the narrow technicality that Stout is not the "public defender" in the usually understood sense of the word, but rather a private contractor serving in a "public defender-like" capacity. In any case, Stout has practiced law for less than a year.

Karpinski's suit was filed in the name of a private citizen, Robert Lumpkin of Bishop. Lumpkin, who has been charged in a drunk driving case is a "potential" defendant who conceivably might find himself in need of the services of a public defender. Karpinski's suit is in the form of a writ of mandate against the Inyo supervisors. He says in the suit that the state code places "severe limitations on the qualifications of...the defender." In court this week, he said "If this is supposed to be a contract position, why wasn't it let out to bid?"

A deputy district attorney, Phil McDowell, continued his argument to the effect that in Inyo County there is no public defender office. As for charges of "sophistry," he said "That's not true. Calling him public defender does not create a public defender office."

Upon such hair-splitting rests the majesty of the law.

McDowell says 27701 is not so limiting as Karpinski interprets it, that the law might have more weight if the state did not allow indigents to be represented by private attorneys with less than a year's experience.

But Karpinski zeroed in on the intent of the supervisors. They have, he claims, a history that indicates a lack of concern for lawyers, indigents, judges, law libraries - and even courtrooms. "They took the cheapest, easiest way to go. Look at the ridiculous salary." But Karpinski was not taking shots at the new "public defender." He said "This is not against Stout. Two-seven-seven-oh-one protects the indigent defendant, not the county."

Is Stout in fact a "public defender" or a "private contractor"? Karpinski, waxing poetic, told the court: "I am reminded of a poem by Gertrude Stein: 'A rose is a rose is a rose."

(See PUBLIC DEFENDER, Page 16)



It must have been the best bargain anywhere: "Necturines" were going for a dime a pound. Not surprisingly, they were selling well at this temporary fruit stand set up near a park by a pair of enterprising Independence boys, Blake Andrews, 9, and Robert McAlister, 12. The winter's rains combined with a mild spring brought bountiful crops of fruit to Inyo's backyard orchards this year, and more than a few young people had found a way to pick up some pocket money. Blake and Robert quickly sold out.

PUBLIC DEFENDER, Continued

Judge Verne Summers took the case "under submission." McDowell inquired as to when the attorneys - and the board of supervisors - might have a decision.

With a certain stern demeanor, the judge replied that, offhand, he "couldn't say." Then he brightened:

"But it will be sometime before December 21st."

That is the date when the man who is now "rendering a public defender-like service" will have had one year's experience in the courts.

There has been some concern about Stout's appointment to the post - not, as many other attorneys say, because he is not an adequate lawyer - but because of the possibility that some convicted defendant might be able to base an appeal on a claim of "inadequate" legal representation. Such appeals could become costly for the Inyo courts and district attorney.

For now it rests with Judge Summers to determine if indeed a "rose is a rose."



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